



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

July 15, 2022

**INFORMATION REQUEST LETTER**  
**URGENT LEGAL MATTER - PROMPT REPLY REQUESTED**  
**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Gary Hall  
Lionheart Industries, Inc.  
243 Timberland Avenue  
Longwood, Florida 32750

Re: Supplemental Request for Information Pursuant to Section 104 of CERCLA for the Lionheart Industries Orlando Plating Emergency Removal Site in Orlando, Orange County, Florida

Dear Mr. Hall:

The U.S. Environmental Protection Agency seeks your cooperation providing information and documents relating to the financial status of Lionheart Industries, Inc. (Lionheart). On December 6, 2021, the EPA received Lionheart's response to its October 5, 2021, General Notice Letter and Demand for Reimbursement of Costs Expended at the Lionheart Industries Orlando Plating Emergency Removal Superfund Site (the Site) in Orlando, Florida. The EPA has reviewed Lionheart's response and determined that additional information is needed to evaluate Lionheart's financial status.

Pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604, as amended, Lionheart is hereby requested to respond to the Supplemental Information Request enclosed with this letter. Compliance with this Supplemental Information Request is mandatory. Failure to respond fully and truthfully to an Information Request within **thirty (30) calendar days**, or to adequately justify such failure to respond, can result in enforcement action by the EPA pursuant to Section 104(e) of CERCLA, as amended. This statute permits the EPA to seek the imposition of penalties of up to \$62,689 for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations to the Supplemental Information Request may subject you to criminal penalties under 18 U.S.C. § 1001.

We encourage you to give this matter your full attention. Enclosure 1 contains important instructions and definitions, followed by specific questions that require your response. If you have any questions regarding this Supplemental Information Request, please contact Houston Gilliland, Enforcement Project Manager for the Site, at (404) 562-8617, or by email at [gilliand.houston@epa.gov](mailto:gilliand.houston@epa.gov). Please email your response to Mr. Gilliland within **thirty (30) calendar days**. If you believe that you are unable to meet the 30-day deadline, please contact Mr. Gilliland to discuss a reasonable extension of the deadline. You may designate another official with the requisite authority to respond on your behalf.

Due to the legal ramifications of your company's failure to respond properly, EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the

time specified above.

For legal questions concerning this letter, please have your legal counsel contact Graham Burkhalter, Associate Regional Counsel, at (404) 562-9519, or by email at [burkhalter.robert@epa.gov](mailto:burkhalter.robert@epa.gov). Technical questions should be directed to me at (404) 562-8617, or by email at [gilliand.houston@epa.gov](mailto:gilliand.houston@epa.gov). Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Houston Gilliland, Jr.", with a stylized, cursive flourish at the end.

Houston Gilliland, Jr.  
Enforcement Project Manager  
Superfund Division

Enclosure

## ENCLOSURE

### LIONHEART INDUSTRIES ORLANDO PLATING EMERGENCY REMOVAL SUPPLEMENTAL INFORMATION REQUEST

1. Please provide a separate narrative response to each Question and subpart of a Question set forth in this Information Request.
2. For each Question contained herein, identify all persons consulted in the preparation of the answer.
3. For each Question contained herein, identify all documents (1) consulted, examined, or referred to in the preparation of the answer or (2) that contain information responsive to the Question. Provide true and accurate copies of all such documents.
4. Precede each answer with the number of the Question to which it corresponds.
5. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA of this fact as soon as possible and provide the EPA with a corrected response.
6. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
7. The information requested herein must be provided even though the Respondent may contend that it includes possibly confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F), Section 3007(b) of RCRA, 42 U.S.C. Section 6927(b), and 40 C.F.R. Section 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary," or "company confidential." Information covered by such a claim will be disclosed by the EPA only to the extent, and only by means, of the procedures set forth in the statute and regulation set forth above. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. You should read the above-cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

### DEFINITIONS

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The term "you" or "Respondent" shall mean Lionheart Industries, Inc. (Lionheart), the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, partners, successors, assigns, and agents.



2. The term "person" shall have the same definition as in Section 101(21) of CERCLA: an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body.
3. The term the "Site" shall mean all property located at 601 N. Orange Blossom Trail, Orlando, Orange County, Florida, including the Lionheart electroplating facility and surrounding adjacent properties.
4. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position, or business.
5. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
6. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
7. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreement and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with printouts of such punch card, disc, or disc pack, tape, video or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.
8. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.